



BY-LAWS

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Mission:

The purpose of the Professional Educator Licensing and Standards Board is to establish and maintain standards for a quality teacher licensing system for Minnesota public schools.

Vision:

The vision of the Minnesota Professional Educator Licensing and Standards Board will be to maintain high licensure standards while providing flexibility in the licensing process to assure that public school students have fully licensed teachers.

Professional Educator Licensing and Standards Board History and **STATUTORY GROUNDS FOR EXISTENCE**

Since 1976, the Professional Educator Licensing and Standards Board had been responsible for establishing and maintaining licensure standards and requirements for teachers in the state, and working with the licensing division at the Minnesota Department of Education to issue licenses to Minnesota teachers.

In 2017, the legislature created the Professional Educator Licensing and Standards Board (PELSB), which will replace the Board of Teaching on January 1, 2018 (see Laws of Minnesota 2017, 1st Spec. Sess., Chap. 5). This new board will assume responsibility for licensing teachers in the state. In addition to these 2017 changes to the board overseeing teacher licensure, the legislature established a new four-tiered licensing system, which the PELSB will oversee.

The Professional Educator Licensing and Standards Board has rulemaking authority; Professional Educator Licensing and Standards Board rules are found in Administrative Law Chapters 8700 and 8710.

PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD POLICIES AND PROCEDURES

BOARD MEMBERSHIP

I. Appointment and Terms of Office

A. In accordance with Minn. Stat. §122A.07, the Professional Educator Licensing and Standards Board consists of 11 members appointed by the governor, with the advice and consent of the Minnesota Senate. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09. No member may be reappointed for more than one additional term. The board must be composed of:

- (1) six teachers who are currently teaching in a Minnesota school or who were teaching at the time of the appointment, have at least five years of teaching experience, and were not serving in an administrative function at a school district or school when appointed. The six teachers must include the following:
 - a) one teacher in a charter school;
 - b) one teacher from the seven-county metropolitan area, as defined in section 473.121, subdivision 2;
 - c) one teacher from outside the seven-county metropolitan area;
 - d) one teacher from a related service category licensed by the board;
 - e) one special education teacher; and
 - f) one teacher from a teacher preparation program;
- (2) one superintendent that alternates each term between a superintendent from the seven-county metropolitan area, as defined in section 473.121, subdivision 2, and a superintendent from outside the metropolitan area;
- (3) one school district human resources director;
- (4) one administrator of a cooperative unit under section 123A.24, subdivision 2, who oversees a special education program;
- (5) one principal that alternates each term between an elementary and a secondary school principal; and
- (6) one member of the public that may be a current or former school board member

B. The governor shall nominate all members to the Professional Educator Licensing and Standards Board. The terms of the initial board members must be as follows:

- (1) two members must be appointed for terms that expire January 1, 2019;
- (2) three members must be appointed for terms that expire January 1, 2020;
- (3) three members must be appointed for terms that expire January 1, 2021; and
- (4) three members must be appointed for terms that expire January 1, 2022.

Members of the Professional Educator Licensing and Standards Board as of January 1, 2017, are ineligible for first appointments to the Professional Educator Licensing and Standards Board for four years from the effective date of this section, except that

two members of the Professional Educator Licensing and Standards Board as of January 1, 2017, are eligible for appointment under paragraph (a), clause (1).

C. No member may be reappointed for more than one additional term

II. Eligibility

- A. In accordance with Minn.Stat. §122A.07, in order to be eligible for appointment to the Professional Educator Licensing and Standards Board as a teacher representative, a person must be currently teaching in a Minnesota school and fully licensed for the position held and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment.
- B. Each nominee other than a public nominee shall be selected on the basis of professional experience, and knowledge of teacher education, accreditation and licensure.

III. Vacant Position

- A. With the exception of a teacher who retires from teaching during the course of completing a board term, the position of a Professional Educator Licensing and Standards Board member who leaves Minnesota or whose employment status changes to a category different from the category at the time of the appointment shall be deemed vacant (Minn. Stat. §122A.07)
- B. In accordance with Minn. Stat. §214.09, a Professional Educator Licensing and Standards Board member may be removed by the governor at any time.
 1. For cause after notice and hearing;
 2. If the Board fails to prepare and submit the required biennial report to the legislature, or
 3. After missing three consecutive meetings.
 - a. The chair of the Board shall inform the governor of a member missing the three consecutive meetings.
 - b. After the second consecutive missed meeting and before the next meeting, the secretary of the Board shall notify the member in writing that the member may be removed if the next meeting is missed.
 - c. In the case of a vacancy on the board, the governor shall appoint, subject to the advice and consent of the senate, a person to fill the vacancy for the remainder of the unexpired term.

BOARD MEETINGS

I. Time and Location

- A. The Professional Educator Licensing and Standards Board shall meet regularly at such times and places as the Board shall determine.
- B. The regular meeting place of the Professional Educator Licensing and Standards Board shall be at the Department of Education unless otherwise stated.
- C. Board meetings are held in accordance with open meeting laws of Minnesota, Minn. Stat. §13D.

II. Rules of Order

- A. Meetings of the Board shall be conducted according to Robert's Rules of Order.

- B. The chair shall appoint a parliamentarian at each February meeting of the Board.
- C. A quorum of the Board must be present for any votes. Said quorum shall consist of a simple majority of the total membership of the Board.
- D. Reports, recommendations, and supplemental materials will be provided to the Board members in advance of the meetings. The Board shall not be expected to take official action on reports or recommendations without sufficient time for discussion and preparation.

ORGANIZATION OF THE BOARD

- I. Executive Committee
 - A. The Board shall annually elect four officers: Chair, Vice-Chair, and additional two members to serve as the Executive Committee.
 - B. The Board shall follow the timeline below:
 - 1. In November of each year an election committee shall be called for. The committee will ask for nominations for Board officers. The election committee will present a slate of candidates for consideration of the Board at the December meeting. These individuals, in addition to any individuals nominated up until the time of balloting, will serve as the slate of candidates.
 - 2. Elections shall take place at the December meeting of the Board.
 - 3. Officers shall be elected for a term of one year and shall assume office in January following the December election.
 - 4. The term of office shall be from January 1 through December 31.
 - 5. Officers may succeed themselves in office.
 - 6. Elections shall be by written ballot unless otherwise determined by the Board. In accordance with Minn. Stat. §13D, the results of elections must be published in Professional Educator Licensing and Standards Board minutes.
 - C. The following procedures will be used during December elections:
 - 1. The nominating committee will present the slate of candidates for the positions of:
 - a. Chair
 - b. Vice-Chair
 - c. Two additional Executive Committee members
 - 2. An opportunity for additional nominations will be provided.
 - 3. An opportunity will be provided for explanations by candidates.
 - 4. Balloting will be done in accordance with B(6) above. Board members will first vote for the office of Chair. Members will then vote for the office of Vice-Chair. The third vote will be for the two remaining positions on the Executive Committee
 - 5. Staff will announce the results and the new members will assume their new duties in January of the following year.
 - D. In the event that 25% or more of the Board's membership is expiring, the process outlined above shall be postponed. A nominating committee shall be formed in December, and elections for officers shall be held in January in 2018 and February every year after.

Note: All candidates for the Chair and Vice-chair positions will automatically be included on the list of candidates for the Executive Committee, pending the individual candidate's preference. As candidates are selected for the Chair and Vice-chair positions, their names will be withdrawn from the list of candidates for the Executive Committee.

ADMINISTRATION

- I. The executive director of the board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director shall maintain the records of the board, account for all fees received by the board, supervise and direct employees servicing the board, and perform other services as directed by the board.
- II. The Department of Administration must provide administrative support in accordance with section 16B.371. The commissioner of administration must assess the board for services it provides under this section.
- III. The Department of Education must provide suitable offices and other space to the board at reasonable cost until January 1, 2020. Thereafter, the board may contract with either the Department of Education or the Department of Administration for the provision of suitable offices and other space, joint conference and hearing facilities, and examination rooms.

COMMITTEES OF THE BOARD

- I. The Board shall have the following standing committees: Executive, Legislative, Licensure, Policy Review and Disciplinary.
- II. Committee appointments, with the exception of the Executive committee, shall be made by the chair in January of 2018 and February every year after and shall run from the time of appointment until the time of new appointments the following year.
- III. Committee meetings shall be called at a time and place to be determined by the committee chair, when applicable, and in consultation with the chair of the Board. A notice of time, place and agenda is prepared and distributed by the Executive Director in consultation with the committee chair. If a committee does not have a designated chair, meeting times and places shall be determined through consultation with committee members and Board staff.
- IV. Committee chairs shall report to the Board at the regular monthly meetings as appropriate.
- V. Meetings of the standing committees shall be intended for discussion of major issues related to the task assigned to the committee. It shall be the responsibility of each committee to attend to the specific task assigned by the Board.
- VI. Professional Educator Licensing and Standards Board staff is to provide assistance at committee meetings. Staff attending committee meetings are responsible for summarizing committee meetings, if requested by the chair of the committee. Staff shall also draft language to reflect the general consensus of discussions as needed during standing committee meetings for reactions from the committee.
- VII. The purpose, structure and duties of the standing committees shall be as follows:
 - A. Executive Committee
 1. To serve as a steering committee for conducting Board business and setting meeting agendas.

2. To serve as an advisory committee to the Executive Director of the Board in the implementation of Board policies.
 3. To consult with staff and the Legislative Committee in the preparation of the biennial budget request and accompanying rationale.
 4. To monitor Board expenditures and to take note of Board needs that should be reflected in the next budget request.
 5. On a yearly basis, the Executive Committee will initiate a performance review of the Executive Director using performance standards and performance indicators; the Vice-Chair will facilitate the review, provide results in a closed session to the Board, followed by acceptance of the report in the public meeting.
- B. Legislative Committee
1. To keep the Board informed of legislation, existing and proposed, which affects or may affect the Board.
 2. To develop strategies for implementation of legislative initiatives.
 3. To offer testimony to appropriate committees of the legislature regarding proposed legislation pertaining to the Board.
 4. To assist the Chair and Executive Director in necessary contacts with the governor and/or staff, with legislators and legislative staff, and with other stakeholders.
 5. To propose legislative action and positions to the full Professional Educator Licensing and Standards Board.
 6. During the Legislative session, the Executive Director will provide members with ongoing summaries and updates of legislative activity, historical context and Board input, and recommend possible responses, positions, and alternatives for consideration.
- C. Licensure Committee
1. The chair shall appoint two members and two alternates to serve as Licensure Committee Members.
 2. The duties shall be as follows:
 - a. Review all licensure applications with possible denial or issuance of a license other than the applicant desired. The applications will be brought by the Internal Licensing Group of Board staff.
 - b. Make decision to issue the license or make a recommendation to the full board for denial or issuance of a different license type to allow due process for the applicant.
 - c. Represent the licensure committee recommendation before the Board in closed session.
 - d. Work with the Licensing Committee support staff of the Board for all contested case hearings.
- D. Disciplinary Committee
1. The Chair shall appoint two teacher members and two teacher alternates to serve as Disciplinary Committee Members.
 2. The duties shall be as follows:
 - a. Review complaints and results of investigations alleging or implying a violation of a statute or rule which the Board is empowered to enforce.

- b. Make decision to take no action or make a recommendation to the full board for any action adverse to the individual allowed due process.
- c. Represent the discipline committee recommendation before the board in closed session.
- d. work with the Teacher Ethics Specialist of the board on contested case hearings as needed.

E. Policy Review Committee

This committee shall meet at least once annually to review the Professional Educator Licensing and Standards Board by-laws and report suggestions for change to the full Board.

VIII. The board shall have one standing advisory committee, called Standards and Rules.

A. Standards and Rules shall provide:

- 1. Ongoing feedback on Board initiatives to ensure that Board policy considerations and actions reflect the perspectives of multiple stakeholder organizations.
- 1. Input and recommendations on specific policy issues as requested by the Board, including ongoing monitoring of Board-adopted licensure tests.
- 2. A forum for identifying additional issues for consideration by the Professional Educator Licensing and Standards Board.

B. Membership will be determined by the Policy Review committee based on representation of constituent groups.

- 1. The Executive Director or designee will function as the chair of the committee.
- 2. All Professional Educator Licensing and Standards Board members are members of Standards and Rules and are encouraged to attend.

C. The structure of the Standards and Rules Committee shall follow the guidelines below:

- 1. The agenda should be set prior to the next Standards and Rules meeting by the Executive Committee, in consultation with the Professional Educator Licensing and Standards Board, Executive Director, and the Professional Educator Licensing and Standards Board staff.
- 2. The Standards and Rules committee will hold a minimum of four meetings annually.
- 3. A summary of each Standards and Rules meeting should be sent to Board members.
- 4. Executive Director and/or other Board staff should facilitate the meeting.
- 5. The Standards and Rules committee may form ad-hoc committees to do work when necessary.
- 6. A Board member or designee attending the Standards and Rules Committee meeting will present a report to the full board at the monthly meeting.

- IX. The Professional Educator Licensing and Standards Board shall establish ad hoc committees as needed.
- A. In establishing an ad hoc committee, the Professional Educator Licensing and Standards Board shall state the charge or purpose of the committee, the objectives, proposed timeline and membership of the committee.
 - B. The Professional Educator Licensing and Standards Board shall receive regular updates on the work of an ad hoc committee prior to receiving recommendations for action.
 - C. The Professional Educator Licensing and Standards Board reserves the right to modify or not act on any recommendations brought forward by an ad hoc committee.

DUTIES OF OFFICERS

I. Chair

- A. Establish the agenda, in consultation with the Board's Executive Committee and Executive Director, for each meeting of the Board.
- B. Call meetings of the Board according to the provisions of M.S. 122A.09.
- C. Chair each meeting of the Board and attend public hearings held by the Board.
- D. Provide ongoing Consultation with the Executive Director in preparation for Board meetings, committee meetings, and other Board business.
- E. Appoint committees, committee chairs, and liaisons as needed to conduct Board business.
- F. Serve as a spokesperson for the Board.
- G. Consult with the Executive Committee and Executive Director in the preparation of annual and biennial reports as required by statute.

II. Vice-Chair

- A. Assume the duties of the chair when necessary.
- B. Assist the chair in representing the Board.
- C. Perform other related Board duties as requested by chair.
- D. Chair the Policy Review committee.
- E. Facilitate the annual performance evaluation for the Executive Director.

DUTIES OF BOARD MEMBERS

- Attend all regular and special meetings of the Board.
- Keep informed of Board goals, initiatives, and activities.
- Review all Board material received prior to each meeting.
- Attend special meetings, legislative and Board hearings, liaison functions, and professional meetings as much as possible.
- Serve on Board committees.
- Participate in at least one Unit Review site visit per term on the Board.
- Serve in a liaison role to task forces and ad hoc committees called by the Board as directed by the chair.
- Perform the following responsibilities when serving as chair of a Board committee or as a liaison to task forces and ad hoc committees called by the Board:
 - 1. Attend meetings of the committee or task force, making sure that members understand their charge(s) and that members

function in accord with Board philosophy, intent, and guidelines.

2. Keep the Board informed monthly of progress made by the committee or task force.
3. Bring to the Board questions and concerns raised at committee or task force meetings.
4. Serve as a resource to both the Board and the committee or task force.

New members:

1. New Board members will be assigned a mentor who shall be a Board member with at least one full year of experience on the Board. The mentor will make regular contact with the new member to provide support and answer questions about Board procedures, policies, or agenda items.
2. The Executive Director will provide an initial orientation session for new members within the first three months on the Board.
3. The Board's legal counsel will provide a legal orientation within the first three months on the Board.

LEGAL COUNSEL

The legal and investigative services for the boards shall be provided by employees of the attorney general assigned to the departments servicing the boards.

Notwithstanding the foregoing, the attorney general shall not be precluded by this section from assigning other attorneys to service a board if necessary in order to insure competent and consistent legal representation. Persons providing legal and investigative services shall to the extent practicable provide the services on a regular basis to the same board or boards.

PER DIEMS AND REIMBURSEMENTS

Purpose

The purpose of this policy and procedure statement is to establish the Professional Educator Licensing and Standards Board policy with respect to activities for which Board members will be reimbursed for time spent by Board members on Board business as authorized by Minnesota Statutes, Sections 15.0575; 122A.07, subd. 5; and 214.09, subd. 3.

Policy

The Professional Educator Licensing and Standards Board may reimburse local school districts for the costs of substitute teachers employed when regular teachers are providing professional assistance to the state by serving on the board or on a committee or task force appointed by the board and charged to make recommendations concerning standards for teacher licensure in this state.

Board member per diem payments and school district substitute teacher reimbursements for Board members may be paid as follows:

- Attending Professional Educator Licensing and Standards Board meetings
- Attending Professional Educator Licensing and Standards Board Committee meetings as a member of the committee or at the request of the Board chair
- Representing the Board as a member of a task force or advisory committee
- Attending a meeting or conference on behalf of the Board and at the request of the Board chair
- Presentation at a legislative hearing on behalf of the Board and at the request of the Board chair

Procedure

It is the responsibility of the individual Board member to request per diem payment or school district substitute teacher reimbursement in accordance with this policy using the form provided by the Board office. Reimbursement requests must follow current IRS requirements in order to be paid. A minimum of four hours, including travel time, should be spent to request per diem payments. Substitute teacher reimbursement may be either for a half day or a full day.

Mileage Reimbursement

A Board member may be reimbursed for mileage at the current Federal IRS reimbursement rate on the most direct route according to Transportation Department records.

Meal Reimbursement

Board members may be reimbursed for the actual cost of meals including tax and a reasonable gratuity. Breakfast reimbursement may be claimed only if the Board member is in travel status overnight or departs from home for the meeting before 6:00 A.M. Dinner reimbursement may be claimed only if the Board member is in travel status overnight or is required to remain in travel status until after 7:00 P.M.

Meals are reimbursed at the rates allowed by the Minnesota Department of Administration.

Lodging

Board members may be reimbursed for the actual cost of lodging for the purpose of attending Board meetings or other Board functions. With the exception of lodging to attend monthly Board meetings, lodging expenses must have prior approval from the Board chair.